

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

UNITED STATES OF AMERICA

v.

JEROME P. BURNEY

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CASE NO.: 1:12-CR-32-TLS

ORDER ACCEPTING FINDINGS AND RECOMMENDATION

This matter is before the Court on the Findings and Recommendation of the United States Magistrate Judge [ECF No. 32], filed on October 29, 2013. The Defendant has waived objection to the Findings and Recommendation, and the Court, being duly advised, adopts the Findings and Recommendation [ECF No. 32] in its entirety and accepts the recommended disposition. Subject to this Court's consideration of the Plea Agreement pursuant to Federal Rule of Criminal Procedure 11(c), the plea of guilty to the offense charged in Count 1 of the Indictment is hereby accepted, and the Defendant is adjudged guilty of such offense.

Further, the Court finds by clear and convincing evidence, pursuant to 18 U.S.C. § 3143(a), that the Defendant is not likely to flee or pose a danger to the safety of any other person or the community if he continues on pretrial release under the terms imposed by the Order Setting Conditions of Release [ECF No. 12] issued by the Magistrate Judge on May 31, 2012. The parties report no change in circumstances since the Order Setting Conditions of Release. Therefore, the Court finds that continued pretrial release pending sentencing is appropriate under § 3143(a).

The notice of sentencing and pre-sentence scheduling deadlines will be issued by separate order.

SO ORDERED on November 19, 2013.

s/ Theresa L. Springmann
THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT